

IN THE DISTRICT COURT OF THE UNITED STATES
EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL MILLER

Plaintiff,

v.

COUNTY OF LANCASTER, *et al.*,

Defendants.

Civ. No.: 5:24-cv-05338-JFL

Judge Joseph F. Leeson, Jr.

**PLAINTIFF'S NOTICE REGARDING DEFENDANTS' RULE 12(b)
MOTION AND REQUEST FOR PROMPT RULING**

Plaintiff submits this notice to address Defendants' motion to dismiss filed on November 20, 2024, and to respectfully request that the Court proceed to issue a ruling without further delay.

Procedural History:

- Plaintiff filed the Complaint on October 12, 2024.
- Defendants requested and were granted a two-week extension to respond, setting the deadline for November 20, 2024.
- On November 20, 2024, Defendants filed facial objections to the Complaint under Rule 12(b)(1) and 12(b)(6).

The motion is fully briefed and ready for disposition.

Request for Ruling:

Plaintiff respectfully submits that the Court has had sufficient time to consider the sufficiency of the complaint under Rules 12(b)(1) and 12(b)(6). Pursuant to Rule 12(a)(4), further delay risks impairing Plaintiff's rights and delaying the resolution of claims involving ongoing constitutional violations.

Given the nature of this case as a pro se constitutional complaint, Plaintiff invokes Rule 1 of the Federal Rules of Civil Procedure, which mandates the just, speedy, and inexpensive determination of every action. Prolonged delays in ruling on dispositive motions frustrate this purpose and risk unduly prejudicing Plaintiff's ability to pursue claims implicating the First and Fourteenth Amendments.

Plaintiff requests that the Court:

1. Issue a ruling on Defendants' pending motion to dismiss; or
2. If additional consideration is required, schedule a status conference to avoid further delay in advancing this matter.

Plaintiff submits this notice in the interest of judicial economy and fairness to all parties.

Certification of Service

Appellant certifies that this motion has been served on all parties electronically through the Court's CM/ECF system.

Respectfully submitted,

/s/ Michael Miller

Dated: December 21, 2024

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